

GENERAL AND REVENUE SECRETARIAT.

P. 26 E-K

1909/10

( Am : Fin )

File No. 37-09

Serial Nos. <sup>141</sup> 171 18 & 23.

Papers Filed.

Month January 1910.

SUBJECT.

In. reply to a petition <sup>from</sup> Mr. T. Srinivasa Rao,  
Inamdar of Tirunally village, Hunsur Tk. — praying that his share of the Tirunelly village may not be taken under Government management in connection with the loan sanctioned to Bakshi Tippiah's family and that it may be left to be managed by himself informing him that if he effects a partition and gives a list of the survey numbers comprising his share, it will be practicable to consider his request.

PREVIOUS REFERENCES.

R. 7. 165. of 1893-4  
filed Oct 29 5.20 5.40. 6.7. 37-09  
B: Dec 20 9 4.77 8, 12, 13, 15, 19-22  
7.51-af

LATER REFERENCES.

3 June 13 5.14, 16, 17 & 25 G. 7 286-10.  
S. No. 6-16 85 3-5.7 15 Dec 16.  
92. Dec 13 6/32  
— 137/5 —

190 9/10

## GENERAL AND REVENUE SECRETARIAT

(Gen: Fin)

## NOTES.

File No. 37-09

## FILE HEADING.

Loan granted to Bhakshi Thippayya's family

From

The Deputy Comm<sup>r</sup>, Mysore

No. 263.

Dated 8/9.10.09

Received

11.10.09

Diary No. / 584

Enclos. —

Spare Copies —

Serial No. 14

## BRIEF ABSTRACT OF LETTER.

States, with reference to para 4 of G.O. no. 70.422-30/9.7.302-08 of 26.8.09, that the Inam village of Limmalli in the Hunsur Taluk, has been taken over under Govt management.

## NOTES AND ORDERS.

Serial  
No.

*Draft*  
*Dec H.S.* *mul* *18-11-9*

*Submitted*  
*H.S.*  
*19-11-09.*

*P* Petition of 19-11-09 no 76 1978  
from T. Srinivas a How of Tirumally  
& stating that it is unfair to the other  
sharees to that govt should have as-  
sumed management of the whole  
Tirumally village, simply because there  
is loan due to govt by one of the  
sharees (Sammoo Rao's family) is still  
undischarged <sup>and that</sup> ~~and that~~ he <sup>to Sammoo Rao's family</sup> ~~he~~ <sup>intend</sup> giving a further loan, and as  
this affects him as a co-sharee, he  
prays that either he may be placed  
in the management of the village or  
the respective shares be divided and  
that relating to the Sammoo Rao's  
family alone taken under govt manage-  
ment.

I kind attention is invited to the  
endorsement given to the petition.  
He was told that it is reported

*Sl 10.*  
*in 4.7.37 09*  
*SSS*  
*filed 12/09*

NOTE—Contn. sheet.

Serial  
No.

the loan borrowed by him have been repaid  
in full with interest, <sup>which is a matter which</sup> is still under correspondence  
and before it is proved that the whole loan  
has been paid, the question of restoration  
of his share of the village does not  
arise for consideration. After the  
petitioner's loan is discharged, the  
govt will be the mortgagees of  
only one-third of the village and the  
arrangement of their managing the  
whole village is not agreed to by  
the owner of another third of the  
village, namely, the petitioner. If  
the shares of the different branches  
have been separately marked out, there  
would have been no need for govt to  
have assumed the management of  
the entire village & they could have  
taken under their control only the  
one third share mortgaged to them  
by the branch of the family to  
which a further loan of Rs 8000  
is now sanctioned.

If As regards the prayer of  
the petitioner, there are only two  
courses open:-

(1) The govt may manage)

Serial  
No.

Altogether it seems best to require Kuntatam  
to others of the this branch of the family  
to get their share of the Tomgelli village  
separated from the rest & place that  
share under govt management

Final Decy

Smuli  
19-11-9

Serial  
No.

Final Secs

Encls

16/12/09

Page 37

5 I consider the second course referred to in  
Ans<sup>r</sup> Secy's note of 19.11.09 to be more preferable

92

12/12/09

Encl

Dewan)

3592

18.12.09

I think so too - 17/12-9

There are some practical difficulties  
in the way of a division and  
apportionment of shares - This will  
already be complicated need not  
be further complicated by parti-  
cular proceeding - 18/12/09  
You may be informed that if  
he effects a partition and  
gives us a list of the shares  
computing his share it will  
be practicable to transfer his  
share  
Meanwhile  
The settlement of accounts  
by reticating them from  
the complicated scribbles  
commented upon in 50 N 622  
of 15/11/09 should proceed apace

13 Dec 09

48

(14)  
37-09  
Jan 21

From

The Deputy Commissioner  
Mysore District

To J. S. Chakravarti Esq MA FRAS  
Financial Secretary  
to Govt of Mysore

Dated 8th

Despatched 9th October 1909

Received

General No. 263  
No.

Enclosure No.

Stating that the  
Hansar Committee  
reports that Lucerne  
Zinnelli village  
was taken under  
Government management.



In person (Let me see the)  
13.12.1911  
M. N. S.

51889

9-11-9

(17)

~~202-08~~  
~~at 4~~  
2.237-00

Before the Government of Mysore  
& Bangalore.

The applicant begs to state as follows:-

The applicant & his brother Mr. Thevariah the head  
quarter - Inspector of Mysore, are the 1st branch & are  
the owners of the first  $\frac{1}{3}$  share of the village Tirumilly  
in Hunsoor Taluk, the owners of ~~the~~ <sup>the</sup> second  $\frac{1}{3}$  share  
being Venkatasubbarow & others, belonging to 2nd branch  
the owners of the third  $\frac{1}{3}$  share being Samudra & others  
belonging to the 3rd branch of the family of the late Anche-  
Bhukshu Leppiah. This third branch being at present  
in debt to the Govt. to which debt this  $\frac{1}{3}$  share having  
been mortgaged to the Govt., the Govt. in their proceedings

of 422-30  
Gen. Fin 302-104  
of 15.7.09 <sup>have</sup> ordered that the village

should be taken under Govt. Management. This order  
is very prejudicial to the interests of the 1st branch & this has  
been passed on the representations of only the 2nd & 3rd branches  
without giving notice & opportunity <sup>to the Petitioner</sup> to show cause against this;  
and so the petitioner begs at present to show cause against  
this order as follows: This order is wholly based on  
the assumption that the 1st branch agreed in their deed of

Mortgage which they had executed to government to secure a loan, to give possession of <sup>the</sup> Village to the Govt. But the fact is not so; they never agreed to do so unconditionally. The history of these loan transactions shortly is this.

On the applications of the 2<sup>d</sup> & 3<sup>d</sup> branches to the Govt. for loans, the Govt. passed the proceedings of 6.6.93 no 317-21. In these proceedings the Govt. say among other things "that the petitioners agreed that in default of payment towards the debt of any instalment, they would give possession of the Village to the Govt. & that the loans should be granted to the several owners of ~~the~~ the Village separately on the separate security of their separate share & on the separate execution of the debt."

After the passing of these proceedings, the first borrowers on the security of a share of Terunelly Village were the petitioner & his brother of the 1<sup>st</sup> branch. They borrowed from Govt Rs 3000 in 93-94 on the mortgage of their share in that Village & they agreed in the deed of mortgage, that in default of payment of any yearly instalment of Rs 300, they would give possession of the Village to Govt. & they never made any default & the Village therefore has always remained in their possession only. They completely discharged <sup>the debt</sup> by the end of June <sup>1904</sup> ~~1903~~. The Deputy Commissioner ~~was~~ <sup>and</sup> doubt shows still some balance against them. But this is evidently <sup>a</sup> mistake as per Comptroller's statement. The mistake is caused by mixing the debt of the petitioner & the bigger & debt of the 3<sup>d</sup> branch & by

Crediting towards this mixed whole the payments made by the petitioner towards his own debt.

In 1896-97 the 3<sup>d</sup> branch the holders of the 3<sup>d</sup> share of the village borrowed from Gov<sup>t</sup>. Rs 12000 & odd mortgaging absolutely their  $\frac{1}{3}$  share of the village with possession. But the Gov<sup>t</sup>. never actually took possession as per stipulation, their debtor's share or the entire village. If they had <sup>done</sup> so, the petitioner would have taken objection then only. These are the facts about the consent of the owners of the Lornelly village to Gov<sup>t</sup>'s assuming the management of the village. These true facts ought to have been placed for the consideration of the Gov<sup>t</sup>. when they made the proceedings of July last mentioned above. So it is not in the humble opinion of the petitioner, fair to take the contingent ~~and~~ agreement of the petitioner about Gov<sup>t</sup>'s assuming the management as his absolute consent.

The owners of 2<sup>d</sup> & 3<sup>d</sup> shares are the absentee landlords & they do not much depend upon the income of the village: on the other hand the petitioner is the resident land lord wholly depending on the income of the village. So it is injurious to ~~his~~ his interest if the Gov<sup>t</sup> assumes the management. ~~It~~ it is also beneficial to the riots, if the land lord himself manages the village residing in it. Because they can readily & easily transact their business & have their real grievances ~~redressed~~ redressed. Moreover, the village is a small one yielding only a ~~new~~ <sup>net</sup> income of Rs. 390 per share & the village requires the economical management ~~of the~~ by the owner himself. If

If the Govt please, to consent, the petitioner will undertake under proper agreement to discharge the debt owing by the owners of the 3<sup>d</sup> share out of their share income.

The best arrangement under these complicated circumstances seems to be the partition of the village into 3 shares & the Govt assuming the management of the 3<sup>d</sup> share which falls to the share of their debtors. The Govt have authority to do this; because the petitioner & his brother the owners of the  $\frac{1}{2}$  share consent to the partition. The 3<sup>d</sup> branch the debtors to the Govt should also consent or they may be insisted on by Govt to consent & thus on the consent of the owners of the  $\frac{2}{3}$  shares of the village the Govt may divide the village. This arrangement is best in the humble opinion of the petitioner for the liquidation of the Govt debt & for the future enjoyment of the owners of the village. As this will completely remove the cause for all future quarrels & for all complaints of mismanagement by one against another, all if they are honest & prudent should consent to the partition.

So the petitioner begs most humbly that the Govt may graciously reconsider their order of July mentioned above on the true facts mentioned above ~~above~~ & reverse the said order about Govt's assuming the management of the village.

9<sup>th</sup> Nov / 09

J. Green Sarsar  
Gnamdar. }



9. 11. 29. J. J. Greenfield  
exp. 1000.

94

1. 1993-94. 129. 100. 95.96. 27.296. 100. 50. 50. 50. 45. 12-8. 307-8. 96-12. 60. 70+6. 80. 307-2. 1103, 4-8. 97.98. 39.4.98. 137. 100. 51.10. 1. 30. 7.5.98. 1. 218-8-8. 282-1. 82. 28-4. 143-1. 2. 31-12. 94-1. 3. 53, 6. 94-1. 4. 111-10. 205-1. 1. 45. 8. 300. 1-2. 16.5.2. 9. 20-8. 31.5-2. 102. 58-8. 30.6-2. 96. 45. 9-7-2. 9. 225-8. 9. 349-8.

| Year    | Year    | No. | Year       | Year  | Year    | Year | Year  |
|---------|---------|-----|------------|-------|---------|------|-------|
| 93-94   | 31.5.94 | 129 | 100        | 95.96 | 27.296  | 100  | 50    |
| 29.6.94 | 31      | 50  | 27.396     | 31    | 50      | 50   | 50    |
|         |         |     | 14.496     | 1     | 50      | 50   | 50    |
|         |         |     | 25.96      | 1     | 50      | 50   | 50    |
|         |         |     | 25.596     | 33    | 45      | 12-8 |       |
|         |         |     | 18.6.96    | 31    | 12-8    |      |       |
| 94-95   | 28-2-95 | 2   | 100        | 3     | 2.2     | 6    | 307-8 |
|         | 2-3.95  | 3   | 47.1.4     | 96.97 | 27.297  | 27   | 96-12 |
|         | 6.5.95  | 10  | 141.9.4    |       | 12.3.97 | 15   | 60    |
|         | 23.5.95 | 1   | 50         |       | 13.4.97 | 5    | 70+6  |
|         |         |     |            | 27    | 27.4.97 | 9    | 80    |
| 2       |         | 4   | 338, 10, 8 | 4     | 2.2     | 4    | 307-2 |

1103, 4-8. 97.98. 39.4.98. 137. 100. 51.10. 1. 30. 7.5.98. 1. 218-8-8. 282-1. 82. 28-4. 143-1. 2. 31-12. 94-1. 3. 53, 6. 94-1. 4. 111-10. 205-1. 1. 45. 8. 300. 1-2. 16.5.2. 9. 20-8. 31.5-2. 102. 58-8. 30.6-2. 96. 45. 9-7-2. 9. 225-8. 9. 349-8.

|       |         |     |           |        |        |        |
|-------|---------|-----|-----------|--------|--------|--------|
| 97.98 | 39.4.98 | 137 | 100       | 51.10  | 1      | 30     |
|       | 7.5.98  | 1   | 218-8-8   | 282-1  | 82     | 28-4   |
|       |         |     |           | 143-1  | 2      | 31-12  |
| 5     |         | 2   | 318, 8, 8 | 94-1   | 3      | 53, 6  |
|       |         |     |           | 94-1   | 4      | 111-10 |
|       |         |     |           | 205-1  | 1      | 45     |
| 98.99 | 31-3.99 | 58  | 100       | 8      | 2.2    | 6      |
|       | 31.3.99 | 66  | 100       |        |        |        |
|       | 30.6.99 | 97  | 110       |        |        |        |
| 6     |         | 3   | 310       | 1-2    | 16.5.2 | 9      |
| 99-90 | 28-2-00 | 107 | 75        | 31.5-2 | 102    | 58-8   |
|       | 11.4-9  | 17  | 75        | 30.6-2 | 96     | 45     |
|       | 4-5-9   | 1   | 75        | 9-7-2  | 9      | 225-8  |
|       | 2-6-    | 43  | 50        | 9      |        |        |
|       | 21-6-   | 11  | 25        | 9      | 2.2    | 4      |
| 7     |         | 5   | 300       |        |        |        |

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|------|--------|----|----------|------|-----|----|---------|
| 7    | 31.8.3 | 2  | 33.3.3   | 11   | 7.7 | 6  | 32      |
| 15   | 3.4    | 15 | 78-4     | 23   | 4-7 | 11 | 25      |
| 20   | 5.4    | 4  | 25       | 26   | 4-7 | 1  | 25      |
| 31   | 5.4    | 31 | 25       | 7.5  | 7   | 6  | 25      |
| 4    | 6-4    | 33 | 25       | 9.5  | 7   | 14 | 25      |
| 27   | 6-4    | 30 | 100      | 18.5 | 7   | 16 | 25      |
| 11   | 2.5    | 6  | 286-7-3  | 28.5 | 7   | 18 | 25      |
| 4-5  | 14-3-5 | 5  | 85.7-9   | 16   | 7   | 19 | 25      |
| 16   | 5-5    | 2  | 25       | 11.6 | 7   | 6  | 25      |
| 8    | 6-5    | 11 | 25       | 13.6 | 7   | 2  | 8-1     |
| 18   | 5-5    | 2  | 25       | 9.6  | 7   | 18 | 25      |
| 31   | 5.5    | 22 | 25       | 26   | 6-7 | 16 | 50      |
| 28   | 6-5    | 36 | 52-4     | 27.6 | 7   | 21 | 49-12   |
| 29   | 6-5    | 75 | 100      | 29.6 | 7   | 75 | 50      |
| 12   | 3.5    | 7  | 337.11.9 | 14   | 2.5 | 19 | 775.9.0 |
| 5.6. | Nil    |    |          |      |     |    |         |

|         |        |      |       |          |                              |
|---------|--------|------|-------|----------|------------------------------|
| 7.8.    | 25.2.8 | 12   | 25    | 1103.4-8 | ans. v. s. k. d. m. s. r. s. |
| 26      | 2-8    | 29   | 25    |          | 1 m. s. v. s. r. s. r. s.    |
| 28.2.8  | 42     | 25   |       |          | s. s. v. s. r. s. r. s.      |
| 29-2-8  | 76     | 12   |       |          | s. s. v. s. r. s. r. s.      |
| 20.6.08 | 46     | 8-12 |       |          | u. s. v. s. r. s. r. s.      |
| 15      | 2.5    | 5    | 95-12 |          | s. s. v. s. r. s. r. s.      |

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| 1. | 0210     | 10 | 92       | 110344-8     | 4.   |
| 2  | 225-00-0 | 11 | 2VE-2-2  | 3309-8-8     | 5.5  |
| 3  | 202-00-0 | 12 | 222-00-0 | 3309-8-8     | 11.5 |
| 4  | 202-00-0 | 13 |          | 3309-8-8     | 11.5 |
| 5  | 202-00-0 | 14 | 222-00-0 | 9.11.909     |      |
| 6  | 200-00-0 | 15 | 222-00-0 | J. Seemladar |      |
| 7  | 200-00-0 |    |          |              |      |



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9. 11. 09. T. Scenobolus

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*[Handwritten signature]*

*E. J. Connelley*

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 108-7-4  
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[illegible]
$$\frac{3 \times 7}{2} = n - n$$

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| 8.  | 4-5  | 900-2-6. |
| 9.  | 5, 6 | 900-.-.  |
| 10. | 6-7  | 900-.-.  |

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20  
In  
Final  
Bt  
K/moz

51978

(18)

Before the Government of Mysore  
at Bangalore.

The applicant :- Sreenivas a.k.a the owner of  
the  $\frac{1}{3}$  share in the Sarvamanga Village  
of Tirumilly in Hunsur taluk.

The applicant begs to state as follows:-

The applicant has submitted a petition to  
the Govt on the 9<sup>th</sup> Inst. praying against  
the assumption by Govt. of the management  
of the whole of the above village including  
the applicant's share, to recover the debt  
due by the owners of another  $\frac{1}{3}$  share. The  
debtors who has applied to the Govt.  
to assume the management, has no interest  
in the ~~the~~ said village, the  $\frac{1}{3}$  share mortgaged to  
Govt. being owned by some ten other persons.  
Another applicant who has consented to  
the assumption is the owner of the only  $\frac{1}{6}$  share  
& the mortgage of another  $\frac{1}{6}$  share.

The applicant has shown in his said  
previous application petition that the assumption  
by the Govt of the possession of the whole village

including his share upon ~~the~~ <sup>not</sup> him (the applicant) & that it is <sup>not</sup> just to deprive him of the possession and enjoyment of his share for the benefit of others.

Now the applicant learns that the said debtors have again applied for a further loan of 8000 Rs in order to liquidate a subsequent bank debt & that the Deputy Commr. has recommended to the Govt. the said fresh loan. & so the applicant has again to put in this petition which he begs may be considered in continuation & together with the previous petition which is not yet disposed of.

The previous debt due by these persons who have applied for fresh debt still remains unliquidated. & the property mortgaged is owned & possessed jointly by several persons. Under these circumstances a private money lender would not lend a fresh loan unless & until the debtors get their share divided from others & are able to put in possession of the creditor their own share freed from others joint claim & enjoyment.

The applicant has put in the said previous petition praying for the reconsideration of the order ~~by~~ passed by Govt. ex parte, to assume the management of the village including the ~~for~~ applicant's share. He has also humbly suggested in that petition the best arrangements

by which the Govt. can have its debt paid  
without affecting the applicants interests;  
the arrangements being these:- that the Govt.  
may compel the debtors to have their share  
divided from those of others & to place it in  
possession of Govt freed from others joint enjoyment.  
or, that if the Govt be pleased to continue him  
as (the applicant) as the manager of the whole  
village, he will continue to pay the income of  
the debtors to the Govt in discharge of their debt.  
Detailed survey has been introduced to the village.  
So the Govt. may deal with their debtors share  
in more ways than one without affecting others  
shares

Now the bank creditors for the discharge  
of whose debt the fresh loan is applied for, have  
brought the said share of the debtors to sale in  
civil court. If the Govt. do not undertake  
to discharge the said debt, the bank or some  
other person would purchase the property subject  
to the prior debt mortgage towards Govt, pay  
up the said debt due to the Govt, & by civil suit  
will have their share divided & thus the question  
will be done to all parties concerned, as  
the Govt's debt would be discharged without  
Govt's being obliged to deprive the applicant of his  
share of the village & the debtors will be compelled  
to pay up their joint debt. On the other hand  
if <sup>the</sup> Govt. wishes to benefit the said debtors

by relieving them of the loss of their property by undertaking to discharge their subsequent debt, it may do so in "the way not injurious to the applicant, viz: by compelling the said debtors to have their <sup>share</sup> divided from that of the applicant.

The petitioner humbly begs that the Court may be pleased to consider the facts represented in this petition & also in the petition of the 9<sup>th</sup> Inst. & reconsider the order made in the proceedings of the 7<sup>th</sup> July last in the absence & without notice to the petitioner applicant, he pleases to order not to deprive the applicant of his ~~share~~ the possession & enjoyment of his share of the village; the applicant also begs that the Court may be pleased to order pending the disposal of these petitions of the applicant that the District & taluk authorities may stay proceedings ~~in~~ assuming the management of the village.

19<sup>th</sup> Nov/09

J. Seemilabara  
Jrandar 1<sup>st</sup> Share,

ಅಂಶದ ಸಂಖ್ಯೆ 350 963.16 1333.8,

ಅಂಶದ ಸಂಖ್ಯೆ 350

29 68.16 79.8,

ಅಂಶದ ಸಂಖ್ಯೆ 327 8950 1254--

ಅಂಶದ ಸಂಖ್ಯೆ 327 8950 1254--

ಅಂಶದ ಸಂಖ್ಯೆ 327 8950 1254--

J. Seemilabara 19.11.09

G.R.S. 26]

File No. 37  
Serial No. 23

12/1/10

Diary No. of letter replied to 1978

No. H 3471

21-1-1910

General and Revenue Secretariat

( 97 )  
the 190

To

Mr. J. Srinivas Rao of Tirumally  
Hunsur Taluk

Date of issue 21-1-1910

Signed by W. M. Krishnaiah

with reference to his petition  
of 19/ November 1909, stating that  
~~it is unfair to his other sharers~~  
~~that Govt should assume the~~  
~~management of the whole Tirumally~~  
~~village on the score that the loan~~  
~~due to Govt by one of the sharers of~~  
~~the Inam village (Samar Rao family)~~  
~~is still undischarged and praying~~  
~~that he may be either placed in~~  
~~management of the village or the~~  
~~village be divided among the other owners~~  
~~their respective shares be apportioned~~  
~~the share belongs~~  
~~and that relating to Samar Rao~~

over.

praying that his share  
of the Tirumally village  
may not be taken up for  
management by Govt  
in connexion with the  
further loan of Rs 5000  
Sanctioned to the three branches of  
the Barikur Thippas family  
that it may be left to be  
managed by himself

SUBJECT

9/1/10

11/1/10

be alone be  
Assembly, ~~to take~~ under for  
Management. The petitioners  
he is informed  
that if he effects a partition  
and gives a list of the Survey  
numbers ~~to~~ in the ~~Jointly~~  
~~village~~ comprising  
his share, it will be  
practicable to consider  
his request.

By order

M. L. 12-1-10  
For Secretary

M. L. 10/1/10.

List of enclosures

Copied by

Examined by